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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

PATRICIA DESANTIS, individually and as  
Successor in Interest for RICHARD  
DESANTIS, deceased, and as Guardian Ad  
Litem for DANI DESANTIS, a minor and  
TIMOTHY FARRELL, a minor,

Plaintiffs,  
v.

CITY OF SANTA ROSA, JERRY  
SOARES, RICH CELLI, TRAVIS MENKE,  
PATRICIA MANN and DOES 1 through  
25, inclusive,

Defendants.

Case No. C07 3386

**DECLARATION OF PATRICIA  
DESANTIS RE COMMENCEMENT OF  
ACTION BY SUCCESSOR IN INTEREST**

**[C.C.P. § 377.32]**

I, Patricia DeSantis, declare as follows:

1. The decedent, Richard DeSantis, was my husband at the time of his death. A true and correct copy of our marriage certificate is attached hereto as **Exhibit A**. He was shot and killed by police officers outside of our home in Santa Rosa, California during the early morning hours of April

1 9, 2007.

2 2. No proceeding is now pending in California for administration of the decedent's  
3 estate.

4 3. I am the decedent's successor in interest as defined by California Code of Civil  
5 Procedure § 377.11 because I am the beneficiary of the decedent's estate as defined by California  
6 Code of Civil Procedure § 377.10(b).

7 4. No other person has a superior right to bring this action or to be substituted for the  
8 decedent in the pending action.

9 I declare under the penalty of perjury under the laws of the state of California that the  
10 foregoing is true and correct. Executed on this \_\_\_\_ day of August, 2007.

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13 By: \_\_\_\_\_  
14 Patricia DeSantis  
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2. No proceeding is now pending in California for administration of the decedent's estate.

3. I am the decedent's successor in interest as defined by California Code of Civil Procedure § 3.711 because I am the beneficiary of the decedent's estate as defined by California Code of Civil Procedure § 3.77.10(h).

4. No other person has a superior right to bring this action or to be substituted for the decedent in the pending action.

I declare under the penalty of perjury under the laws of the state of California that the foregoing is true and correct. Executed on this 22<sup>nd</sup> day of August, 2007.

By:

  
Patricia DeSantis